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United States Courts  
Southern District of Texas  
FILED

JAN 17 2020

David J. Bradley, Clerk of Court

4 **UNITED STATES DISTRICT COURT**  
5 **SOUTHERN DISTRICT OF TEXAS**  
6

7 UNITED STATES OF AMERICA,

8 Plaintiff

9 vs.

10 DARREN DAVID CHAKER,

11 Defendant.  
12

Case No.: 4:12CR00168-001

**MOTION FOR THE COURT TO FILE  
AND RULE ON MOTION TO SEAL  
RECORDS**

13  
14 The court declined to file the application to seal and the accompanying motion to  
15 seal premised on the fact the case is no longer in controversy. When defendant previously  
16 filed a motion to seal, the court denied it stating defendant should cite to the records he  
17 wished to seal and address the issue of waiver.

18 As indicated in the accompanying motion to seal, defendant could not afford to  
19 download thousands of pages of records and had only recently come into possession of  
20 the entire public record. Given the substantial issues contained in the declaration  
21 submitted under seal, defendant was unable to submit the motion earlier than when he  
22 had.

23 As the court is aware, defendant was not provided his file by his former appellate  
24 counsel who possessed the entire file. Thus, defendant could not provide the detailed  
25 records since many of them were not in his possession. The court **did not** place a time  
restriction on when the defendant could re-file his motion to seal. The only condition the

1 court placed on defendant when he would re-file his motion to seal, was where the court  
2 directed defendant to address waiver. Defendant did comply and addressed waiver.

3 Defendant does not believe failing to file a revised motion to seal records when he  
4 was unable to review the records, he needed to seal would dictate the motion to seal is  
5 inapplicable. Likewise, defendant does not believe since there is no case in controversy  
6 such would discard his right to privacy. For example, Exhibits 1-6 are orders to seal  
7 records for cases that were dismissed or settled ranging from 2-12 years from when the  
8 case was closed. Each court granted the motion before it despite having been closed for  
9 years. Defendant merely requests this honorable court file the motion it sent back to the  
10 defendant and rule on the merits of the motion.

### 11 CONCLUSION

12 It for the above reasons defendant requests this court grant this motion, file the  
13 attached application and motion to seal.

14 Dated: January 15, 2020

Respectfully submitted,

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17 Darren Chaker  
18 Defendant  
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**UNITED STATES DISTRICT COURT**  
**SOUTHERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

DARREN D. CHAKER,

Defendant.

Case No. 13mj3222-JLB

**ORDER GRANTING IN PART AND  
DENYING IN PART MOTION TO  
SEAL**

[ECF No. 14]

On October 30, 2014, Defendant Darren D. Chaker sent to the Court, but did not file, the instant Motion to Seal Partial Record. By direction of the Court, that motion was filed, under seal, on December 30, 2014. (ECF No. 14.) By this motion, Defendant moves the Court to seal (1) a letter, entitled Confidential Request to Seal Records, which was previously submitted by the Defendant but rejected for filing by the Court on November 20, 2013 (ECF No. 10); (2) the docket entry for ECF No. 6; and (3) the recording of Defendant's bond hearing on September 5, 2013 (ECF No. 6).

Ex. 1

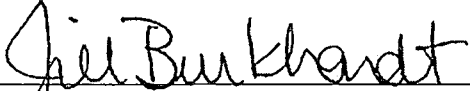
1 As to the Confidential Request to Seal Records (ECF No. 10), this document was  
2 not accepted for filing, and instead was rejected due to discrepancies. Because this  
3 Confidential Request is not a part of the case file, having been rejected for filing, there is  
4 no reason why the document should be accessible to the public, especially in light of the  
5 privacy concerns expressed by Defendant. Defendant's motion to seal the Confidential  
6 Request to Seal Documents, currently visible as Page 2 of ECF No. 10, is **GRANTED**.<sup>1</sup>

7 As to Defendant's motion to seal the docket entry at ECF No. 6, that request is  
8 **DENIED IN PART** and **GRANTED IN PART**. Defendant's "legal name" as set forth in  
9 the docket entry is ordered redacted/stricken. The remainder of the docket entry text will  
10 remain in place.

11 As to Defendant's motion to seal the recording of Defendant's bond hearing, this  
12 motion was previously denied by Judge McCurine. (ECF No. 12.) Because Defendant  
13 has not presented the Court with any new or additional material information since this  
14 motion was denied by Judge McCurine, the motion is **DENIED**.

15  
16 IT IS SO ORDERED.

17 DATED: December 30, 2014

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19 HONORABLE JILL L. BURKHARDT  
20 UNITED STATES MAGISTRATE JUDGE  
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28 <sup>1</sup> Page 1 of ECF No. 10 is the Discrepancy Order, and is to remain unsealed.

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7 **UNITED STATES DISTRICT COURT**  
8 **DISTRICT OF NEVADA**  
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10 DARREN CHAKER-DELNERO,

11 Plaintiff,

12 v.

13 BUTLER & HAILEY, *et al.*,


14 Defendants.  
15

Case No. 2:06-CV-0022-KJD-LRL

**ORDER**

16 Presently before the Court is Plaintiff's Motion to Seal Partial Records (#27). Though the  
17 time for doing so has passed no response in opposition has been filed. The information that Plaintiff  
18 seeks to protect should have been redacted or filed under seal initially, because it contained financial  
19 account numbers and information regarding his medical history. Accordingly, good cause being  
20 found and in accordance with Local Rule 7-2(d), the Court grants the Motion (#27). The Clerk of the  
21 Court shall seal docket nos. 18 & 22.

22 DATED this 3<sup>rd</sup> day of December 2012.  
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26 Kent J. Dawson  
United States District Judge

**EX-2**

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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 **DARREN D. CHAKER,**

12 Plaintiff,

13 vs.

14 **LAW OFFICES OF WINN AND SIMS, a**  
15 **Professional Corporation; BRIAN N.**  
16 **WINN; RALPH L. SIMS; and DOES 1**  
17 **through 25 inclusive,**

18 Defendants.

CASE NO. 06-CV-599-H (AJB)

**ORDER GRANTING  
PLAINTIFF'S MOTIONS TO  
SEAL EXHIBITS TO HIS  
PREVIOUSLY FILED  
COMPLAINT**

[Doc. No. 7]

19 On March 17, 2006, Plaintiff filed a complaint against Defendants Law Offices of Winn  
20 and Sims, Brian N. Winn, and Ralph L. Sims. (Doc. No. 1.) On May 25, 2006, Plaintiff  
21 voluntarily dismissed the action without prejudice. (Doc. No. 6.) On January 7, 2013,  
22 Plaintiff, proceeding pro se, filed a motion to seal the exhibits attached to his previously filed  
23 complaint, specifically ECF page numbers 23, 26, 29, 37, and 39 of the Document No. 1.  
24 (Doc. No. 7.) Plaintiff seeks to seal these exhibits because they contains confidential financial-  
25 account numbers and financial records that may be sealed pursuant to Federal Rule of Civil  
26 Procedure 5.2(a), (e). (Id.)

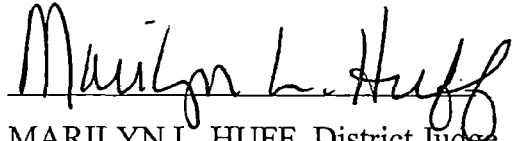
27 ///

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1 After reviewing the documents in question, the Court concludes that good cause exists  
2 to seal the documents. Accordingly, the Court **GRANTS** Plaintiff's request to seal the exhibits  
3 to the complaint without prejudice to the Court modifying this order at a later time.

4 **IT IS SO ORDERED.**

5 DATED: January 9, 2013

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7 MARILYN L. HUFF, District Judge  
8 UNITED STATES DISTRICT COURT  
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5 UNITED STATES DISTRICT COURT  
6 DISTRICT OF NEVADA  
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8 DARREN CHAKER-DELNERO,

9 Plaintiff,

10 vs.

11 NEVADA FEDERAL CREDIT UNION, *et al.*,

12 Defendants.  
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Case No. 2:06-cv-00008-BES-GWF

**ORDER**

Motion to Seal (#25)

14 This matter comes before the Court on Plaintiff Darren Chaker-Delnero's ("Chaker")  
15 Motion to Seal (#25), filed on December 10, 2012. Under Federal Rule of Civil Procedure  
16 5.2(a)(4), filings with the Court that contain a financial account number may contain only the last  
17 four digits of the number. Attachment 1 to Craig Fiedberg's Declaration (#6-2), however, contains  
18 Chaker's entire financial account number, which was not redacted at the time of filing. *See Doc.*  
19 *#6-2* at 2, 4, and 6. Accordingly,

20 **IT IS HEREBY ORDERED** that Chaker's Motion to Seal Partial Record (#25) is  
21 **granted.**

22 **IT IS FURTHER ORDERED** that the Clerk of the Court shall seal Attachment 1 to the  
23 Declaration of Craig B. Friedberg (#6-2).

24 DATED this 18th day of December, 2012.

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27 GEORGE FOLEY, JR.  
28 United States Magistrate Judge

EX. 4



Order Form (01/2005) Case: 1:06-cv-02932 Document #: 48 Filed: 10/22/12 Page 1 of 1 PageID #:151

**United States District Court, Northern District of Illinois**

Name of Assigned Judge or Magistrate Judge	Blanche M. Manning	Sitting Judge if Other than Assigned Judge	
<b>CASE NUMBER</b>	06 C 2932	<b>DATE</b>	10/22/2012
<b>CASE TITLE</b>	Chaker vs. Bank One Corporation, et al		

**DOCKET ENTRY TEXT**

MOTION by Plaintiff Darren Chaker to seal partial record [47] is granted. The clerk is directed to redact the account number on Page ID#36, which appears in the "re" line of that document under Mr. Chaker's name as well as in line two of the first paragraph.

Docketing to mail notices.  
\*Copy to judge/magistrate judge.

Courtroom Deputy  
Initials:

TP

**Ex.5**

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8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**  
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11 DARREN D. CHAKER,

12 Petitioner,

13 v.

13 SAN DIEGO SUPERIOR COURT,

14 Respondent.  
15

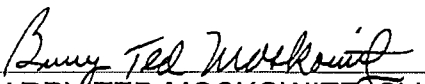
Case No. 99cv02260 BTM (AJB)

**ORDER SEALING RECORDS**

16 Good cause having been shown, Petitioner's Motion to Seal Partial Record is hereby  
17 GRANTED. The Clerk of the Court is directed to seal Docket 10, 20, and 29.  
18

19 **IT IS SO ORDERED.**

20 DATED: November 26, 2012

21   
22 BARRY TED MOSKOWITZ, Chief Judge  
23 United States District Court  
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Ex. 7

**ENTERED**

October 03, 2019

David J. Bradley, Clerk

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF TEXAS  
HOUSTON DIVISION**

UNITED STATES OF AMERICA

§

§

Criminal No. H-12-0168

§

Civil No. H-17-1879

v.

§

§

Fifth Circuit Appeal No. 18-20785

§

DARREN D. CHAKER

§

**ORDER**


In this proceeding under 28 U.S.C. § 2255, the Court entered a Final Dismissal Order [Doc. # 415] on October 25, 2018. Petitioner/Defendant Darren D. Chaker filed an appeal, which the appellate court dismissed for want of prosecution on July 17, 2019 [Doc. # 430]. Defendant now has filed an “Application to File Motion to Seal Records and Declaration in Support of Motion to Seal Records Under Seal” [Doc. # 431]. He also filed a sealed document [Doc. # 432] with nearly 100 pages of records, mostly pertaining to previous proceedings involving Defendant in other courts.

This Court has dismissed Defendant’s petition under § 2255 and his appeal has concluded. Defendant has no case or controversy pending before the Court. It is therefore

**ORDERED** that Defendant's "Application to File Motion to Seal Records and Declaration in Support of Motion to Seal Records Under Seal" [Doc. # 431] is **DENIED as moot**. It is further

**ORDERED** that the sealed document [Doc. # 432] is **STRICKEN** from the Court's record. The Clerk is **INSTRUCTED** to return the original to Defendant by Federal Express.

SIGNED at Houston, Texas, this 3rd day of **October, 2019**.



NANCY F. ATLAS  
SENIOR UNITED STATES DISTRICT JUDGE